

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Pierre Andre Batchler

Docket No. 5:11-CR-60-1BO

Petition for Action on Supervised Release

COMES NOW Scott Plaster, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Pierre Andre Batchler, who, upon an earlier plea of guilty to Unlawful Possession With Intent to Distribute 100 Grams or More of Phencyclidine, in violation of 21 U.S.C. §§ 841(a) and 841(b)(1)(B)(iv), was sentenced by the Honorable Henry H. Kennedy, Jr., U.S. District Judge for the District of Columbia, on November 13, 2009, to the custody of the Bureau of Prisons for a term of 18 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 48 months under the standard conditions adopted by the court and the following additional conditions:

1. After completion of the term of imprisonment, the defendant shall complete 1200 hours of community service.
2. In addition to this requirement, the defendant shall comply with any additional reporting requirements imposed by the probation office.

Pierre Andre Batchler was released from custody on August 26, 2010, at which time the term of supervised release commenced.

On March 14, 2011, jurisdiction was transferred from the District of Columbia to the Eastern District of North Carolina.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant returned to the District of Columbia in 2012, after obtaining employment in that area. On February 24, 2013, Mr. Batchler submitted a drug screen that yielded a positive result for marijuana and subsequently admitted using the same. Mr. Batchler has had no other violations since his release. Additionally, the defendant has maintained gainful employment during the vast majority of his time on supervision. He has also been performing community service work as ordered by the court. As a result of the defendant testing positive for marijuana, it is recommended the conditions of supervision be modified to include participation in substance abuse treatment, including drug testing, as directed by the probation office. Inasmuch as the defendant is maintaining gainful employment, it is also recommended the defendant's community service hours be reduced from 1200 to 600 hours, to be performed at a rate of 20 hours per month. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 600 hours of community service at the rate of 20 hours per month as directed by the probation office.
2. The defendant shall participate in, and successfully complete, a residential and/or out-patient substance abuse treatment program, which may include drug testing and detoxification service, as approved by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: April 18, 2013

ORDER OF COURT

Considered and ordered this 20 day of April, 2013, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge